THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
and
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 17487 of 2007

O R D E R: (Per the Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed against the interim order dated 5.7.2007 passed by the Tribunal in O.A. No. 3729 of 2007.

On the allegation that a criminal case has been filed against the petitioner by his younger daughter-in-law for the offence u/s 498-A IPC and that he was in custody, the 1st respondent is said to have passed the order of suspension against the petitioner vide proceedings Rc.No.2533/C1/2006 dated 25.11.2006 and issued the charge memo in Rc.No. 2533/C1/2006 dated 1.12.2006. The petitioner challenged the same by filing O.A. 3729 of 2007 before the Tribunal. Though the Tribunal admitted the case and passed interim order, alleging that the Tribunal has not granted the appropriate relief the petitioner filed this writ petition.

Heard the learned counsel for the parties and perused the material available on record.

The petitioner, in the affidavit filed in support of the writ petition, has narrated the facts leading to filing of the criminal case, his remand, release from custody etc. and contended that though he was not in custody for 48 hours, the 1st respondent erroneously and without considering the true facts has suspended him and the Tribunal failed to consider the said fact. However, the fact remains that the Tribunal admitted the O.A. filed by the petitioner and issued notice to the respondents returnable in four weeks and

pending disposal of the O.A., directed the respondents to forthwith arrange for payment of provisional pension. Having regard to the facts and circumstances, we do not find any error or infirmity in the said order passed by the Tribunal. As the O.A. is still pending before the Tribunal, we are of the considered view that it would suffice if a direction is given to the Tribunal to dispose of the O.A. within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of directing the Tribunal to dispose of O.A. 3729 of 2007 within a period of four weeks from the date of receipt of a copy of this order.

T. MEENA

KUMARI, J.

G. CHANDRAIAH, J.

Date: 20-08-2007.

MVB.